

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YVETTE SHORTER,

Case No. 08-CV-7312(LAP)

Plaintiff,

vs.

GEORGE COMFORT & SONS, INC.,

Defendant.
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/17/09
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ORDER

Defendant George Comfort & Sons, Inc. ("GCS"), having moved to dismiss this case pursuant to Federal Rule of Civil Procedure, Rule 16, and having filed a Letter Brief with Affidavits and Exhibits in Support of the Rule 16 Application (ECF Docket Nos. 14, 15 and 16) ("Rule 16 Application") pursuant to GCS's letter application so-ordered by the Court and entered January 8, 2009 (ECF Docket No. 13); and

GCS having consented to the redaction of the Exhibits in Support of the Rule 16 Application to the extent that they contain confidential personal or health information of Plaintiff Yvette Shorter ("YS") at a further conference scheduled by the Court on February 23, 2009 pursuant to Rule 16 (the "Rule 16 Conference"); and

This case having been settled at the Rule 16 Conference, and an order entered closing the case and denying all pending motions as academic;

NOW, THEREFORE upon application of Ceccarelli Weprin PLLC, attorneys for Defendant GCS, it is hereby ORDERED:

1. The ECF clerk shall seal and/or remove all exhibit attachments in support of the Rule 16 application in light of the settlement of the case, but not the letter application or the attached affidavit in support under ECF No. 14.
2. The ECF clerk shall remove the filing error designations for ECF Nos. 14 and 16.
3. The ECF clerk shall accept for filing a Stipulation of Discontinuance in accordance with the settlement of this case.

Dated: New York, New York
March 16, 2009



Loretta A. Preska
United States District Judge